

Section 319(h) – NPS Pollution Control Financial Assistance Program - Watershed-Based Plan Implementation and Other Activities

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Opportunity Information

CSFA Number 532-60-0378

CSFA Popular Name Section 319(h) Grant Program

Title Section 319(h) – NPS Pollution Control Financial Assistance Program - Watershed-Based Plan Implementation and Other Activities

Description The Illinois Environmental Protection Agency (Illinois EPA) is seeking proposals for nonpoint source (NPS) pollution control projects (Projects) to prevent, eliminate, or reduce water quality impairments to Illinois' surface and groundwater resources. The Illinois EPA receives federal funds from the United States Environmental Protection Agency (U.S. EPA) through Section 319(h) of the Clean Water Act (33 U.S.C. § 1329(h)) to help implement the Section 319(h) Nonpoint Source Pollution Control Financial Assistance Program (a.k.a. Section 319(h) Grant Program) (<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/nonpoint-sources/Pages/section-319.aspx>). Specifically, to implement performance measures as outlined in Chapter 7 (Short and Medium-Term Objectives and Milestones) in the Illinois' Nonpoint Source Management Program (INPSMP) (Illinois EPA, 2013) (<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/nonpoint-sources/Documents/NPS-Management-Program.pdf>).

NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries

away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands and even our underground sources of drinking water. It has been determined that over 60% of the (national) documented water pollution problem can be traced to nonpoint sources.

The Section 319(h) Grant Program prioritizes Projects addressing Illinois waters for which NPS pollution is a significant cause of water quality impairment. Assessment information for Illinois' waterbodies can be found in the most recent Integrated Water Quality Report and Section 303d List (<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/303d-list.aspx>).

This NOFO will give higher priority to projects that implement components of an Illinois EPA-approved watershed-based plan (WBP) (<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/watershed-based-planning/Pages/default.aspx>) or an Illinois EPA-approved Total Maximum Daily Load (TMDL) Implementation Plan (<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/tmdls/Pages/default.aspx>). These Projects can include best management practice (BMP) implementation, environmental monitoring, social indicator monitoring, and outreach efforts. Individual BMPs, treatment systems or outreach efforts not identified in a WBP or TMDL Implementation Plan are eligible for funding but will not be prioritized as highly as those Projects specifically identified in an Illinois EPA-approved WBP or TMDL Implementation Plan.

Examples of project types and BMPs that have been, or could be, funded through the Section 319(h) Grant Program-Watershed-Based Plan Implementation and Other Activities are listed below. The list is not all-inclusive, and inclusion of a Project, activity, or BMP does not equate to an automatic eligibility for funding under the NOFO.

Eligible Section 319(h) Grant Program Project types include:

- o Implementation of NPS components of an Illinois EPA-approved watershed-based plan (WBP)
- o Implementation of NPS components of an U.S. EPA-approved Total Maximum Daily Load (TMDL) Implementation Plan
- o Best Management Practice (BMP) Implementation
- o NPS Information and/or Outreach Programs
- o NPS Technical Assistance (planning and/or implementation)
- o Monitoring (requires an Illinois EPA approved QAPP submitted by application deadline)

Eligible Section 319(h) Grant Program BMP types include:

- o WETLANDS (RURAL AND URBAN)
 - Wetland restoration or enhancement
 - Wetland area protection
 - New wetland development
- o STREAMS (RURAL AND URBAN)

- Stream channel and streambank stabilization
- Meandering a channelized stream
- In-stream habitat restoration
- Reconnecting stream to floodplain
- Levee removal or modification

o LAKES (RURAL AND URBAN)

- Lakeshore stabilization
- In-lake practices
- Detention practices (sediment and nutrient)
- Aeration\destratification

o AGRICULTURAL

- Nutrient management planning and plan implementation
- Erosion and sediment control
- Livestock exclusion
- Livestock waste management (limited to non-permitted activities)
- Buffers and filter strips

o URBAN (URBAN BMPs - SUPPLEMENTAL GUIDANCE FOR FUNDING ELIGIBILITY -

<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/nonpoint-sources/Documents/Urban-BMPs-Supplemental-Guidance.pdf>)

- Rain gardens and rain barrels
- Permeable and porous pavements
- Green roofs
- Bioswales, bioretention, and urban filter strips

o RESOURCE EXTRACTION (LIMITED TO MINE LAND ABANDONED PRIOR TO 1972)

- Acid mine drainage control
- Soil erosion and sediment control

o RIPARIAN ZONE (RURAL AND URBAN)

- Native vegetation planting
- Tree and shrub planting
- Riparian wetland restoration

o EDUCATION AND OUTREACH ACTIVITIES.

- Projects to promote implementation of activities to help restore degraded waters or protect waters from degradation due to NPS pollution. Projects could be:
 - statewide or community-based efforts such as training, displays, and workshops.
 - development of technical and administrative guidance tools to assist responsible units of government and agencies in the selection and implementation of BMPs and administrative mechanisms for controlling NPS pollution.
 - Local NPS information/education projects as recommended in a WBP or TMDL Implementation Plan.

o MONITORING FOR ENVIRONMENTAL AND\OR SOCIAL INDICATORS.

- Environmental and social indicator monitoring to help document the need for NPS pollution control or to validate the

accomplishments of ongoing and completed NPS pollution control projects. Applications that include monitoring (environmental, social indicator, or data management) are required to submit a copy of an Illinois EPA approved Quality Assurance Project Plan (QAPP) for that monitoring at the time of application. Monitoring components for applications without an approved QAPP will not be considered for funding, however, the remainder of the application and budget will be reviewed for funding consideration. U.S. EPA guidance for QAPPs can be found at: <https://www.epa.gov/quality/guidance-quality-assurance-project-plans-epa-qag-5>

Applicants may apply for more than one project.

Partial funding may be offered if sufficient funds are not available to fund an entire application.

Awarding Agency Name	Illinois Environmental Protection Agency
Agency Contact Name	Christine Davis
Agency Contact Phone	217-782-3362
Agency Contact Email	epa.bowgrants@illinois.gov
Fund Activity Categories	Environmental Quality
Category Explanation	Illinois EPA's Section 319(h) Nonpoint Source Pollution Control Financial Assistance Program (a.k.a. Section 319(h) Grant Program) is designed to provide grant funds for projects that prevent, eliminate, or reduce water quality impairments caused by NPS pollution.
Opportunity Manager	Christine Davis
Announcement Type	Initial Announcement
Funding Opportunity Number	378-2421
Assistance Listings Number	66.460
Public Link	https://il.amplifund.com/Public/Opportunities/Details/a45bb70d-d072-41e5-b1d9-5ef00782047b
Is Published	No

Funding Information

Funding Sources	Federal Or Federal Pass Through, State
Funding Source Description	<p>This grant award is utilizing State and federal pass-through funds. The federal pass-through funds are received from U.S. EPA and distributed by Illinois EPA under Section 319(h) of the Clean Water Act. Illinois EPA expects to award a total of up to \$4.5 million and anticipates distributing this amount across twelve (12) to fifteen (15) projects. The actual amount depends upon the final U.S. EPA budget approved by Congress and the allocation awarded to Illinois by U.S. EPA. The Section 319(h) Grant Program does not have a set maximum or minimum total project cost or grant amount. However, in the past, Projects have had total project costs that generally ranged from \$80,000 to \$2,000,000 and federal grant assistance has generally ranged from \$48,000 to \$1,200,000. No more than 50% of the funds, per funding cycle, shall be allocated to any one applicant or project.</p> <p>The Section 319(h) Grant Program is a reimbursement program. The Grantee must perform the work, pay Project costs, and submit an invoice with supporting documentation before Illinois EPA will reimburse the Grantee for any approved eligible costs. Illinois EPA shall only make reimbursements to the Grantee and shall reimburse the Grantee no more frequently than monthly.</p> <p>The Illinois EPA may elect to partially fund an application by funding discrete portions or phases of the Project scope of work. This could be due to ineligible (e.g., proposed monitoring without an approved QAPP) or low priority components identified in the application or inadequate funds available to complete the entire Project.</p> <p>The Section 319(h) Grant Program may provide up to 60% of the approved Project costs. The remainder, normally 40% is the responsibility of the Grantee and constitutes the match. The Grantee must document the required match at, or before, the time of invoice for reimbursement. Match may include money spent or in-kind services utilized to complete the approved Project tasks. Match cannot be federal funds or funds used to match another federal program. Match can be provided by the Grantee, sub-contractor, or Project partners (e.g., State programs, private foundations, landowners). A Grantee may match greater than 40%.</p>

If an applicant wants to use a grant from another funding agency as match, the applicant should check with that funding agency issuing the grant to ensure that it may be used as match for the Section 319(h) Grant Program. The following applies when using other grants to match the Section 319(h) Grant Program:

- The matching grant scope of work must directly satisfy a portion of the Section 319(h) Grant Program scope of work
- The date that the Grantee incurs costs for the matching grant must fall within the effective and expiration dates of the Section 319(h) Grant Program grant agreement
- The costs incurred under the matching grant must be eligible according to the Section 319(h) Grant Program criteria

Award Information

Award Type	Competitive
Expected Number of Awards	12
Indirect Costs Allowed	Yes
Indirect Cost Description	<p>In order to charge indirect costs to a grant, the Grantee must have an annually negotiated indirect cost rate agreement (NICRA). There are three types of NICRAs:</p> <ol style="list-style-type: none">1. Federally Negotiated Rate. Organizations that receive direct federal funding may have an indirect cost rate that was negotiated with the Federal Cognizant Agency. The State of Illinois will accept the federally negotiated rate. The applicant must provide a copy of the federally negotiated NICRA.2. State Negotiated Rate. The applicant must negotiate an indirect cost rate with the State of Illinois if they do not have a Federally Negotiated Rate or elect NOT to use the De Minimis Rate. The indirect cost rate proposal must be submitted to the State of Illinois within 90 days of the Notice of State Award.3. De Minimis Rate. An organization that has never received a Federally Negotiated Rate may elect a de minimis rate of 10% of modified total direct cost (MTDC). Once established, the de minimis rate may be used indefinitely. The State of Illinois must verify the calculation of the MTDC annually in order to accept the de minimis rate.

An applicant has the discretion not to claim payment for indirect costs. Applicants that elect not to claim indirect costs cannot be reimbursed for indirect costs.

Restrictions on Indirect Costs No

Matching Requirement Yes

Submission Information

Submission Timeline Type One Time

Submission Open Date 10/21/2022 12:00 PM Central Standard Time

Submission Close Date 12/7/2022 12:00 PM Central Standard Time

Submission Timeline Additional Information The Illinois EPA shall not extend the application deadline date. Incomplete applications shall not be considered for funding and preclude the Illinois EPA from making an award to the applicant.

Allow Multiple Applications Yes

Technical Assistance Session

Technical Assistance Session Yes

Session Date and Time 11/2/2022 1:30 PM

Conference Info / Registration Link <https://illinois.webex.com/illinois/j.php?MTID=m20d48817e89bfb44a0354790b1ef8c5b>

Eligibility Information

Eligibility Type Public

Eligible Applicants Government Organizations, Nonprofit Organizations, Education Organizations, Public Housing Organizations, For-Profit Organizations, Small Businesses, Individuals, Others

Additional Eligibility Information Section 319(h) Grant Program funds are available to any entity that has legal status to accept funds from the State of Illinois. This can include: local watershed groups; land conservancies or trusts; public and private profit and nonprofit organizations and institutions; units of county, municipal, township, and state governments; universities and colleges;

park districts and other local land managing agencies; soil and water conservation districts; conservation organizations; and others.

Section 319(h) Grant Program applicants must have the financial ability to initiate the project, pay expenses, and then request reimbursement from the Illinois EPA, while continuing to finance their normal operating expenses.

Applicants must have the authority and ability to implement the proposed project or propose to subcontract portions of the project to the appropriate entities for implementation.

Match is required. See the Funding Information Section for more information.

Applicants may only apply for a grant through the Grant Accountability and Transparency Act (GATA) Grantee Portal, www.grants.illinois.gov. During GATA Portal pre-qualification, Dun and Bradstreet verifications are performed including a check of Debarred and Suspended status and good standing with the Secretary of State. The pre-qualification process also includes a financial and administrative risk assessment utilizing an Internal Controls Questionnaire. If applicable, the applicant will be notified that it is ineligible for award as a result of the Dun and Bradstreet verification. The applicant will be informed of corrective action needed to become eligible for a grant award.

Examples of ineligible projects, activities, tasks, and components that shall not be funded through Section 319(h) are provided below. The list is not all-inclusive:

- o Any activity or project that does not control, prevent, or address NPS pollution
- o Any activity or project required by State or federal law or State or federal permit, including activities required or anticipated to be required by National Pollutant Discharge Elimination System (NPDES) regulations, including Phase 1 and Phase 2 stormwater permit requirements
- o Routine maintenance or repair of existing on-site systems, such as culvert replacement, street sweeping, catch-basin cleaning
- o Bonus or acceleration payments to contractors to meet contractual completion dates for construction; fees for failure to pay invoices on time, check overdrafts, etc.
- o Mitigation costs
- o Projects used mainly for habitat improvement, flood control, sediment removal (dredging), support facilities (roads, sewer systems), historic

preservation, water supply protection, recreation, or wastewater treatment. However, if the Project serves both eligible and ineligible components, Section 319(h) funds may be provided for the eligible portion of the Project, on a proportional basis of Ineligible activities based on current U.S. EPA guidelines for Section 319(h) grants

Match cannot be federal funds or funds used to match another federal program.

The grantee must have Illinois EPA's approval prior to incurring costs for implementation of any part of the Project. In addition, costs incurred prior to the grant agreement's effective term date or after its term ends are ineligible for reimbursement. Costs incurred prior to the grant agreements' effective date or after its term ends are ineligible as match unless otherwise approved as match by Illinois EPA.

Grantees shall not use any subcontractors, outside associates, or consultants in connection with any services covered by a grant agreement unless specifically authorized by the Illinois EPA.

Grantees shall use procurement procedures that reflect applicable local and State of Illinois laws and regulations relating to any sub agreements for the performance of grant projects funded under the Section 319(h) Grant Program.

The requirements of the U.S. EPA Guidance for Management of Section 319(h) Grant Program Funds apply to all recipients of grants made with funds appropriated by Congress under Section 319(h) of the Clean Water Act.

Administrative Criteria

If the answer to any of the following Administrative Criterion is No, the application shall not be considered for funding.

Did the applicant meet all of the following requirements for Merit-Based Review eligibility?

- 1) All Section 319(h) Grant Program – Project Details completed with support documentation (i.e., map, design and drawings), as appropriate
- 2) Included a QAPP, if applicable.

Additional Information

Additional Information URL <https://www2.illinois.gov/epa/topics/water-quality/watershed-management/nonpoint-sources/Pages/default.aspx>

Additional Information URL	Additional information about Section 319(h) can be found on Illinois EPA's NPS webpage. Check out the Illinois' Nonpoint Source Management Program and the Section 319(h) Biannual Report, which describes the projects that have been funded in the past under the Section 319(h) Grant Program.
Description	<p>Environmental or social indicator monitoring is not required in order to qualify for the Section 319(h) Grant Program.</p> <p>It may be difficult to complete projects that include BMP design, engineering and permitting, BMP implementation, and monitoring during a single grant period. Applications for renewal or supplementation of existing projects are eligible to compete with applications for new grant awards. Contact the NPS Unit at (217) 782-3362 to discuss application options for long-term projects.</p> <p>Illinois EPA has the right to use (including, but not limited to, citing, circulating, displaying, and reproducing) all products that result from the Grantee receiving financial assistance under the grant agreement whether the product is developed by the Grantee or a sub-grantee.</p> <p>Illinois EPA is not obligated to make any grant award as a result of this NOFO.</p>

Award Administration Information

State Award Notices	The Illinois EPA shall issue a Notice of State Award (NOSA) to the successful grant applicants. The NOSA shall specify the funding terms and specific conditions resulting from the Fiscal and Administrative and Programmatic Risk Assessments. The NOSA must be accepted by an authorized representative of the grant applicant before a grant agreement can be sent to the applicant. A NOSA is not an authorization to begin project activities or incur costs.
Administrative and National Policy Requirements	<p>The terms and conditions of the award shall be specified in the NOSA and the grant agreement.</p> <p>No Grantee shall receive a grant or any other State or federal assistance that would provide more than 100% of the eligible Project costs.</p> <p>Each Grantee must agree to comply with all applicable federal and State requirements. This includes Uniform Administrative Requirements, 2 C.F.R. § 200, Executive Order 12372 "Intergovernmental Review of Federal Programs", and GATA. These can have a significant impact on the costs and complexity of a Project. The Section 319(h) Grant Program Grantees will be expected to submit signed assurances that they will comply with all federal</p>

mandates, including:

a) The Interagency Wetland Policy Act of 1989; 20 ILCS 830/: In accordance with the Interagency Wetland Policy Act of 1989, a Grantee whose proposed Project site is located on or within 250 feet of a wetland site listed on the National Wetlands Inventory will be required to comply with the requirements of the Act. This includes developing a plan to minimize adverse impacts on wetlands or providing written evidence that the proposed Project will not have an adverse impact on a wetland. Project must also comply with Federal Wetlands Protection regulations at 24 C.F.R. § 58.5(b)(2), which may require preparation of an Eight-Step Wetlands Review.

b) Illinois Endangered Species Protection Act; 520 ILCS 10/ and the Illinois Natural Area Preservation Act; 525 ILCS 30: Compliance requires consultation with the Endangered Species Consultation Program of the Illinois Department of Natural Resources to assure compliance. The consultation process must be implemented to avoid or minimize adverse impacts to State-listed species and their essential habitats that may result from the actions of State and local units of government. Grantees must certify the completion of the consultation process.

c) Illinois Prevailing Wage Act; 820 ILCS 130/: The Illinois Prevailing Wage Act requires the payment of prevailing wages for all construction funded in whole or in part with State funds, including funds passed through to private firms. Grantees shall comply with all requirements of the Prevailing Wage Act, including but not limited to, inserting into all contracts for construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Project shall be paid to all laborers, workers, and mechanics performing work under the award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract. Grantees will be required to report on Prevailing Wage Act compliance. If your Project involves construction and/or equipment installation, go to https://www2.illinois.gov/idol/Laws_Rules/CONMED/Pages/prevailing-wage-act.aspx for more information.

d) Illinois Works Jobs Program Act; 30 ILCS 559/: Grantees must comply with requirements in the Illinois Works Jobs Program Act. For grants with an estimated total Project cost of \$500,000 or more, the Grantee will be required to comply with the Illinois Works apprenticeship Initiative; 30 ILCS 559/20-20 to 559/20-25 and all applicable administrative rules. The “estimated total Project cost” is a good faith approximation, at the time an applicant submits a grant application, of the costs of an entire project being paid for in whole or in part by appropriated capital funds to construct a public work. The goal of the Illinois Works Apprenticeship Initiative is that apprentices will perform either 10% of the total labor hours actually worked in each prevailing wage classification or 10% of the estimated labor hours in each prevailing wage classification, whichever is less. Grantees will be permitted to seek a waiver or reduction of this goal in certain circumstances pursuant to 30 ILCS 559/20-20(b). The Grantee must ensure compliance for the life of the entire Project, including during

the term of the grant and after the term ends, if applicable, and will be required to report on and certify its compliance.

e) Business Enterprise Program for Minorities, Females, and Person with Disabilities Act; 30 ILCS 575/: For grant awards of \$250,000 or more, the Grantee will be required to comply with the Business Enterprise Program for Minorities, Females, and Persons with Disabilities Act, which establishes a goal for contracting with businesses that have been certified as owned and controlled by persons who are minority, female, or who have disabilities. The Grantee must document a plan for compliance prior to the establishment of the grant agreement and ensure compliance through the life of the grant.

f) The National Emission Standards for Hazardous Air Pollutants for Source Categories; 40 C.F.R. § 63: These standards assure that, when existing buildings are demolished and/or renovated, people outside of those buildings (e.g., passers-by or neighborhood residents) are protected from airborne asbestos. If asbestos materials are involved in the rehabilitation work, the Grantee must contact the Field Operations Section, Bureau of Air of the Illinois EPA to ensure compliance with asbestos NESHAP.

Successful applicants will be required to execute a formal grant agreement and adhere to all requirements of the Section 319(h) Grant Program and other State and federal contractual requirements.

In the grant agreement, the Grantee shall be required to:

- Certify that it does and shall comply with all provisions of the federal Internal Revenue Code (26 USC 1), the Illinois Income Tax Act; 35 ILCS 5/, and all rules promulgated thereunder, including withholding provisions and timely deposits of employee taxes and unemployment insurance taxes.
- Certify that it does and shall comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006; PL 109-282, September 26, 2006, 120 Stat. 1186 with respect to federal Awards greater than or equal to \$25,000.
- Certify that it shall adhere to the applicable Uniform Administrative Requirements, Cost Principles, and Audit Requirements, which are published in Title 2, Part 200 of the Code of Federal Regulations, and are incorporated herein by reference. See 44 Ill. Admin. Code 7000.30(b)(1)(A).
- Certify that it and its sub-grantees shall: (i) be registered with the federal SAM if seeking an Award that is partially or fully paid by federal funds and registered with the State equivalent of SAM; (ii) be in good standing with the Illinois Secretary of State; and (iii) have a valid DUNS number. It is Grantee's responsibility to remain current with these registrations and requirements. If Grantee's status with regard to any of these requirements change, or the certifications made in and information provided in the Uniform Grant Application changes, Grantee's must notify the Grantor in accordance with ARTICLE XVIII.
- Submit a "Section 319(h) BMP Documentation Form Part I" with designs, maps, and pollutant load calculations for all BMPs, including BMPs installed with matching funds. The designs must be certified by U.S. Department of Agriculture - Natural Resources Conservation

Service (NRCS) staff or a registered or licensed professional engineer of Illinois. The designs must be approved by the Illinois EPA, Bureau of Water, NPS Unit prior to the start of BMP construction or implementation.

- Secure applicable State and federal permits for all BMPs, including BMPs installed with matching funds, prior to the start of their implementation.
- Develop and submit a 10-year O&M Plan for each of the BMPs. This includes BMPs installed with matching funds. O&M Plans must be approved by the Illinois EPA's NPS Unit before BMP implementation and are for a minimum of ten (10) years starting from the completion date of the BMP.
- Submit a Section 319(h) BMP Documentation Form Part II with cost documentation and pre- and post BMP photos and/or video of the Project site.
- Submit personnel activity reports accounting on an after-the-fact basis for 100% of the employee's actual time, separately indicating the time spent on the Section 319(h) grant, other grants or projects, vacation or sick leave, and administrative time, if applicable.

Reporting All Projects require quarterly reporting of progress. Quarterly progress reports shall include both a Periodic Financial Report and a Periodic Performance Report.

All Projects require a final project report. The grantee shall submit to the Illinois EPA, by the date specified in the grant agreement, a report explaining the execution of the project and evaluating the Project's success. The report shall document the Project tasks and summarize the findings, costs, and benefits of the Project.

State Awarding Agency Contacts If you have any programmatic questions regarding the Section 319(h) Grant Program, this NOFO, or the Section 319(h) Grant Program application, contact the Illinois EPA's Nonpoint Source Unit staff at:

Illinois Environmental Protection Agency
Bureau of Water, WMS, NPS Unit #15
1021 North Grand Avenue East; P.O. Box 19276
Springfield, Illinois 62794-9276
Email: epa.bowgrants@illinois.gov
Phone: (217) 782-3362

If you have any fiscal and administrative questions regarding the Uniform Grant Application, the Uniform Grant Budget Template, Indirect Cost Rates, Internal Controls Questionnaire (ICQ), contact the Illinois EPA's Fiscal staff at:

Illinois Environmental Protection Agency Fiscal
1021 North Grand Avenue East; P.O. Box 19276
Springfield, Illinois 62794-9276
Email: Max.Paller@illinois.gov
Phone: (217) 558-3386

Other Information Additional information about Illinois' Nonpoint Source Management Program can be found on Illinois EPA's website, including the Section 319(h) Biannual Report, which describes the projects that have been funded in the past under the Section 319(h) Grant Program.

Illinois EPA is not obligated to make any grant award as a result of this NOFO.

In the event that a grant award is not fully spent within the grant period, or the project is terminated, Illinois EPA reserves the right to use those unspent funds for another Notice of Funding Opportunity.

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Criteria

All Section 319(h) applications shall be reviewed for completeness, technical merit, cost effectiveness, and adherence to the Clean Water Act, U.S. EPA Section 319(h) program guidance, and the competitive grant evaluation criteria described in this NOFO. Applications found to be complete shall undergo a comprehensive, merit-based review performed in compliance with GATA Legislation, 30 ILCS 708 and Uniform Administrative Requirements, 2 C.F.R. § 200. The merit-based review is designed to evaluate the applications against the following criteria:

Tier 1

General Quality of Application (0 – 10 points)

- All required components are submitted and complete
- Project information submitted is sufficient for evaluation, consistent, and correct

Quality of Proposal (0 – 20 points)

- Project is consistent with the intent of the NOFO
- The application identifies steps to implement the Project and provides clear Project goals and measurable objectives needed to achieve the expected outputs and outcomes
- Timeline is appropriate for the tasks and milestones outlined
 - Project can be completed in two (2) years or less
- Budget line items are justified in the Project narrative
- Proposed approach/actions/activities are appropriate or technically/scientifically sound for NPS pollution control in critical areas identified in the WBP or TMDL Implementation Plan
 - The application documents the proposed pollutant load reductions (sediment, nitrogen, phosphorus) including the percent reduction of the Illinois EPA approved WBP or TMDL Implementation Plan Load Reduction recommendations

Anticipated Outputs and Outcomes (0 – 20 points)

- Project will help improve capacity of local, State, and/or federal partners to control NPS pollution
- Project will protect critical area(s) identified in an Illinois EPA-approved WBP or TMDL Implementation Plan
- Project proposes to implement components of an Illinois EPA WBP or TMDL Implementation Plan
- Project component designed lifespan is 10 years or greater
- Project includes design, implementation, and monitoring to show measurable environmental results
- Project includes a long-term operation and maintenance (O&M) plan, including identification of responsible parties and funds to implement the O&M after grant is complete

Cost Effectiveness (0 – 10 points)

- Budget is detailed and clearly presented
- Project costs are limited to eligible components and activities
- Project's components and/or activities are cost-effective and/or comparable to other NPS pollution control projects

Addresses Need and Environmental Significance (0 – 20 points)

- The Project is a NPS component of an Illinois EPA-approved WBP or TMDL Implementation Plan
- Project will prevent or control NPS pollution that currently impacts the water quality of an Illinois river, stream, lake, or groundwater resource
- Proposed approach/actions/activities are appropriate or technically/scientifically sound for NPS pollution control

Financial Integrity (0 – 10 points)

- Applicant has the financial ability to complete the project

Programmatic Capability, Technical Experience and Qualifications (0 – 10 points)

- Applicant, or its consultant(s) or partner(s), can successfully manage and complete the Project
- Applicant, or its consultant(s) or partner(s), has strong staff expertise/qualifications, staff knowledge, and resources or the ability to obtain them, to successfully achieve the intent of the NOFO

Minimum Cut Score. Application points for the Tier 1 criterion listed above will be summed to arrive at a preliminary composite average score. A total of 100 points is possible. A minimum cut score of 60 will be used to determine if points for the additional Tier 2 criterion listed below will be applied. Applications that score ≤59 will not be given any additional Tier 2 points for the criterion listed below.

Tier 2

Relationship to an approved WBP. (Point Range 0, 5, or 10) Priority will be given to those projects that implement an Illinois-EPA approved WBP. NPS pollution control projects that are identified as being within an approved WBP that eliminate impairments and/or restore impaired waters will receive higher consideration than Projects submitted without the support of such a plan. Implementation of a WBP to address NPS pollution could include design and installation of BMPs that have been identified for specific critical areas; NPS water quality modeling, environmental and social indicator monitoring, and outreach activities that are specifically identified in the WBP. Applications that have no relationship and are not located within an approved WBP earn 0 points, while those with eligible projects

partially covered by an Illinois-approved WBP earn 5 points. Those Projects that have eligible projects which are entirely located within an approved WBP earn 10 points.

Relationship to an approved TMDL. (Point Range 0, 5, or 10) Priority will be given to those projects that address nonpoint source pollution and are located within a U.S. EPA-approved TMDL. A TMDL is the maximum amount of a specific pollutant loading a waterbody can tolerate and still support all its intended uses. Projects that have no relationship to and are not located within an approved TMDL earn 0 points, while those with eligible projects in areas that are partially located within an approved TMDL will earn 5 points. Those with eligible projects that are entirely located within an approved TMDL earn 10 points.

[Click here](#) for additional information about Illinois EPA's TMDL Program and consult with the Planning Unit at (217) 782-3362 before applying for the implementation of a TMDL implementation plan.

Relationship to Illinois EPA Priority Watersheds. (Point Range 0, 5, or 10) Priority will be given to those projects that are located within Illinois EPA [Priority Watersheds](#) for NPS pollution control implementation, as applicable. Illinois has 51 basins; all 51 basins will be a priority for watershed-based planning and plan implementation at least once every five years. Each year, a subset (8 – 11) of the basins will be a priority for planning. Two-years later those same basins will be a priority for plan implementation. Waterbody segments, except for main-stem waters, that are not attaining their designated water quality uses due to NPS pollution impairments are the priority waterbodies within the priority watersheds. The main-stem waterbodies have greater priority once NPS components of a WBP for their headwater areas have been developed and implemented. The 10 to 12-digit hydrologic units (HUC) that contain these impaired waterbody segments are the priority watershed. A higher priority for assistance will be given to those watersheds that have multiple NPS impaired waterbody segments. Priority will also be given to those projects that are located within a NPS Priority Watershed to Reduce Nutrient Loss. [Click here](#) to see a set of maps that depict the 5-year planning and implementation priority watershed rotation and the priority watersheds for nutrient reduction. Applications that have no relationship to and are not located within a Priority Watershed will earn 0 points, while those with eligible projects in areas partially located in a Priority Watershed will earn 5 points. Those that have eligible projects that are entirely located in a Priority Watershed will earn 10 points.

Relationship to Illinois EPA [Environmental Justice Areas](#) (Point Range 0, 5, or 10) Priority will be given to those projects that are located within an Illinois EPA Environmental Justice Area. "Environmental Justice" is based on the principle that all people should be protected from environmental pollution and have the right to a clean and healthy environment. Environmental justice is the protection of the health of the people of Illinois and its environment, equity in the administration of the State's environmental programs, and the provision of adequate opportunities for meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Projects without an Environmental Justice Area will earn 0.0 points, while those with project areas that are partially covered by an Environmental Justice Area earn 5 points. Those projects that are covered by an Environmental Justice Area(s) earn 10 points.

Review and Selection Process

The complete applications shall be reviewed by an Evaluation Panel that is composed of Illinois EPA, Bureau of Water (BOW), Watershed Management Section (WMS), NPS Unit staff and other BOW staff, as available.

If fewer than 50 applications are received, each application shall be reviewed in-depth by the entire Evaluation Panel. If 50 or more applications are received, at least two Evaluation Panel members shall review each application in-depth, and the remaining Evaluation Panel

members shall attend a group presentation summarizing the application. During years when more than 50 applications are received, additional quality control on the review process will be made to ensure accurate and consistent scoring.

Illinois EPA's NPS Unit shall solicit peer reviews on the applications from:

- within the Illinois EPA regional offices in which the Project is located;
- within Illinois EPA's Fiscal department for a fiscal and administrative review; and
- the Illinois Department of Natural Resources, Illinois Department of Agriculture, and the USDA Natural Resources Conservation Service.

The peer reviews shall not generate a numerical score but will provide information for the Evaluation Panel to consider while conducting the merit-based review.

The Evaluation Panel shall be convened to discuss the applications, peer review comments, and other relevant information. Using the merit-based review criteria, using either a full in-depth review (for < 50 applications received) or the group summarization (≥50 applications received) each member of the Evaluation Panel shall individually score each application on a scale of 100 points independently of the whole panel. Each Evaluation Panel member shall then give the application a numeric score. These individual scores shall be shared with the whole Evaluation Panel and recorded on a summary score sheet that shows the comparative scores. Any significant or substantial variance between member's scores shall be reviewed and documented, including voluntary revision of individual scores.

Application points for the Tier 2 criterion will be added to the eligible applications to arrive at a preliminary composite average score. The final individual scores shall be converted into a composite average score for each application and ranked accordingly. Section 319(h) Grant Program funds will be awarded per the NOFO, starting with the highest ranked project funded first, followed in order by rank and eligibility.

Additional review and selection processes are provided below.

- If the amount of available grant funding is not sufficient to fund the application in its entirety, the Evaluation Panel shall review the application to determine if a discrete portion or phase of the project meeting the mission of this NOFO can be funded.
- If the Evaluation Panel determines that an applicant incorrectly calculated or indicated the project cost, match, and/or total funding request based on the applicable cost estimate, required match, or eligible costs, the application shall still be accepted and reviewed. If the applicant is awarded the grant, the Illinois EPA shall contact the applicant and request a decision from the applicant as to whether it will accept the award based on the Illinois EPA's determination of the project cost, applicant match, and/or total funding requested. If the applicant does not accept the Illinois EPA's determination, the application shall not be funded.

Illinois EPA's NPS Unit shall present a summary of all the applications received to the Chief of the Bureau of Water and the Director of the Illinois EPA. This summary shall include confirmation that the NOFO was followed and the findings and recommendations of the Evaluation Panel, including application rank and funding recommendation.

Based on eligibility and merit criteria, and the Evaluation Panel scoring, the Illinois' Section 319(h) Nonpoint Source Work Plan (Work Plan) will be prepared and submitted to U.S. EPA for approval. The Work Plan identifies the selected applications (Projects) proposed for funding by Illinois EPA. with a budget spreadsheet, a short narrative summary of each Project, and a copy of the selected Project applications.

U.S. EPA should issue comments to the Illinois EPA on the detailed Work Plan following a review period. Illinois EPA will then respond to U.S. EPA's comments to answer concerns and questions.

Illinois EPA expects to send written notice to each applicant whose Project was not included in the Work Plan informing them that their application was not selected for funding.

Once U.S. EPA has approved the Work Plan, Illinois EPA will apply to U.S. EPA for Section 319(h) funding to implement the Work Plan and, in anticipation of U.S. EPA approval of the grant application, Illinois EPA expects to begin drafting agreements for selected Projects.

Following a decision of intent to award, the Illinois EPA is required by GATA to conduct a fiscal and administrative risk assessment and programmatic risk assessment of the applicant. Additional information may be required at that time from the successful applicant. To remain eligible for the award, the applicant must provide the requested information within the time specified by the Illinois EPA. The Fiscal and Administrative Risk Assessment Questionnaire is available on the GATA Portal. The Programmatic Risk Assessment, provided by Illinois EPA, evaluates the applicant's ability to successfully carry out the terms of the Section 319(h) Grant Program and assesses four risk categories: 1) quality of management systems and ability to meet the management standards; 2) history of performance; 3) reports and findings from audits performed on prior awards; and 4) the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on a Grantee.

Appeal Process

An appeal process is available to applicants and other interested parties; however, appeals are limited to the Illinois EPA evaluation process. Evaluation scores may not be protested. An appeal must be submitted in writing to the following address: Illinois EPA, Attn: Section 319(h) Grant Program, Bureau of Water, 1021 N. Grand Avenue, Mail Code #15, P.O. Box 19276, Springfield, Illinois 62794-9276 and must be received within 14 calendar days after the date that the grant award notice has been published by the Illinois EPA on [Grants.Illinois.gov](https://grants.illinois.gov). The written appeal shall include at a minimum the following: the name and address of the appealing party, identification of the grant, and a statement of reasons for the appeal. Illinois EPA shall acknowledge receipt of an appeal within fourteen (14) calendar days from the date the appeal was received.

When an appeal is received, the execution of the grant agreement that Illinois EPA intends to make under this NOFO shall be stayed until the appeal is resolved.

Illinois EPA shall respond to the appeal within 60 days or supply a written explanation to the appealing party as to why additional time is required. The appealing party must supply any additional information requested by Illinois EPA within the time period set in the request. The Director of the Illinois EPA may appoint one or more Appeal Review Officers (ARO) to consider the grant-related appeal and make a recommendation to the Director of the Illinois EPA or designee for resolution. The ARO shall make a recommendation to the Director of the Illinois EPA or designee as expeditiously as possible after receiving all relevant, requested information. In determining the appropriate recommendation, the ARO shall consider the integrity of the competitive grant process and the impact of the recommendation on the Illinois EPA. The Illinois EPA shall resolve the appeal by means of written determination, which shall include, but not be limited to: review of the appeal, appeal determination, and rationale for the determination.

Anticipated Announcement Dates

By May 1, 2023, Illinois EPA expects to send written notice to each applicant whose application was not selected for inclusion in the Section 319 Grant Program Work Plan.

By June 30, 2023, the Illinois EPA expects to send the "Notice of State Award" to the successful grant applicant for signature. The Notice of State Award (NOSA) will specify the

funding terms and specific conditions resulting from the pre-award risk assessments. The NOSA must be accepted by an authorized representative of the grantee organization. The NOSA is not an authorization to begin performance or incur costs.

By July 30, 2023, Illinois EPA expects to send a grant agreement to the grant recipient for signature.

By September 30, 2023, Illinois EPA expects to provide a fully executed grant agreement to the grant recipient. A fully executed grant agreement is authorization for the grant recipient to begin work on the project.

Action by Illinois EPA	Target Dates
Notify unsuccessful applicants that their application was not selected for inclusion in the Section 319(h) Grant Program Work Plan.	May 1, 2023
Send a Notice of State Award to the selected applicant for acceptance.	June 30, 2023
Send a Grant Agreement to the selected applicant for signature.	July 30, 2023
Provide a fully executed Grant Agreement to the grantee.	September 30, 2023
The anticipated start date for approved projects is September 30, 2023.	

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